



#11
M.B.
4/29/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jose Manuel Alguera Gallego et al. Examiner: S. Marsh

Serial No. 09/786,041

Group Art Unit: 3632

Filed: May 14, 2001

Date: April 15, 2003

For: "SUPPORTING DEVICE"

Assistant Commissioner for Patents
Washington, DC 20231

RECEIVED
APR 23 2003
GROUP 3600

AMENDMENT "B"

Sir:

In response to the Official Office Action mailed January 15, 2003,
Applicant responds as follows:

REMARKS

This amendment is in response to the second Office Action for the above-identified application mailed on January 15, 2003. Claims 1-13 are pending in the application and have been rejected.

In Amendment A, the Applicant incorporated into the specification material which was previously incorporated by reference from a foreign application, patent, or to a publication. The Examiner has now objected to the incorporation of essential material in the specification by reference to a foreign application or patent, or to a publication as being improper. In addition to the material added to the disclosure from Amendment A, the Examiner has requested that an Affidavit or Declaration executed by the Applicant be submitted which states that the amendatory material consists of the same material incorporated by reference in the referencing application.

In order to overcome the Examiner's rejection, submitted herewith is an Affidavit of one of the inventors of the application, Jose Manuel Alguera Gallego. The Affidavit describes the amendatory material which was added in Amendment

A and further states that the amendatory material consists of the same material incorporated by reference in the referencing application. Accordingly, the Applicant has properly amended the disclosure to include the material incorporated by reference. Removal of the rejection to the specification is respectfully requested.

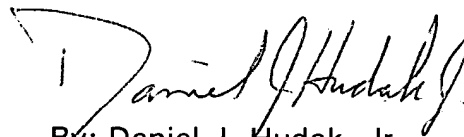
The remainder of the Office Action further repeats the objections presented in the prior Office Action, specifically an objection to the disclosure under 37 C.F.R. § 1.71, an objection to the drawings, and a 35 U.S.C. § 112, first paragraph rejection of the claims. It is respectfully submitted that these previously presented rejections have been addressed by the Applicant in Amendment A fully incorporated herein by reference. That is, in Amendment A the disclosure was amended, a new drawing was submitted, and the claims were discussed in view of the 35 U.S.C. § 112 rejection.

Accordingly, it is respectfully submitted that all of the Examiner's rejections have been addressed and Applicant respectfully requests an examination of the claims on the merits.

Should the Examiner have any questions or comments regarding this response, a telephone call to the undersigned would be greatly appreciated in order to expedite prosecution of the pending application.

Respectfully submitted,

HUDAK, SHUNK & FARINE CO. LPA



By: Daniel J. Hudak, Jr.
Registration No. 47,669

2020 Front Street
Suite 307
Cuyahoga Falls, OH 44221
Telephone: (330) 535-2220 Facsimile: (330)-535-1435

Attorney Docket No.: J 166 (FMW-EE-PCT-US)



3632

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jose Manuel Alguera Gallego et al. Examiner: S. Marsh

Serial No. 09/786,041

Group Art Unit: 3632

Filed: May 14, 2001

Date: April 15, 2003

For: "SUPPORTING DEVICE"

Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING

Sir:

The undersigned hereby certifies that the attached **AMENDMENT "B" AND AFFIDAVIT OF JOSE MANUEL ALGUERA GALLEGO** were mailed to the Assistant Commissioner for Patents, Washington, D.C. 20231, with sufficient first-class postage, no special handling, on April 15, 2003, before 5:00 PM, thereby ensuring that such document(s) will be in the hands of the U.S. Postal Service by the close of business this day. Thus, timely response has been made to the outstanding Office Action prior to expiration of the shortened statutory period for the same ending **April 15, 2003**.

The Commissioner is hereby authorized to charge any fees which might be required or credit any overpayment of fees with regard to the attached document(s) to Account No. **08-3150**.

Respectfully submitted,

HUDAK, SHUNK & FARINE CO. LPA

Daniel J. Hudak, Jr.
By: Daniel J. Hudak, Jr.
Registration No. 47,669

RECEIVED
APR 23 2003
GROUP 3600

DJHjr/sab
2020 Front Street
Suite 307
Cuyahoga Falls, OH 44221
(330) 535-2220
Attorney Docket No.: FMW-EE-PCT-US
Enclosures: Return Postcard
Certificate of Mailing
Amendment "B"
Affidavit of Jose Manuel Alguera Gallego